

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

SYLVESTER ROGERS, JR.,

Plaintiff,

VS.

NUECES COUNTY, *et al*,

Defendants.

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CIVIL ACTION NO. C-07-410

**ORDER DENYING MOTIONS FOR SURVEILLANCE TAPES AND FOR  
POLICY ON PRESERVING SURVEILLANCE TAPES**

Pending are plaintiff's motions: (1) for the surveillance video at the Nueces County Jail from February 13, 2006 to February 28, 2006 (D.E. 52); and (2) for the policy on retaining surveillance video (D.E. 54). In its response to these two motions (D.E. 56), defendant Nueces County voluntarily supplied copies of the relevant policy. State policy requires that the tapes be retained for thirty days (D.E. 56, Att. 1 & 2). Nueces County provided an affidavit that the relevant surveillance video was destroyed after 30 days and is no longer available. The video would only have been retained if plaintiff had timely made his demand within thirty days.

Accordingly, plaintiff's motion for the surveillance video (D.E. 52) is denied. Plaintiff's motion for a copy of the retention policy (D.E. 54) is denied as moot because it has already been provided.

ORDERED this 27th day of May, 2008.

  
B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE